



JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

FILED MAY 11 2005
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DOCKET NO. 1629

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

*IN RE NEURONTIN MARKETING, SALES PRACTICES AND PRODUCTS
LIABILITY LITIGATION*

(SEE ATTACHED SCHEDULE A)

ORDER LIFTING STAY OF CONDITIONAL TRANSFER ORDER

A conditional transfer order was filed in the 21 actions listed on the attached Schedule A on April 13, 2005. Prior to expiration of that order's fifteen-day stay of transmittal, plaintiffs in the 21 actions submitted a notice of opposition to the proposed transfer. Plaintiffs have now advised the Panel that they withdraw their initial opposition to transfer with respect to these 21 actions.

IT IS THEREFORE ORDERED that the stay of the Panel's conditional transfer order designated as "CTO-6" filed on April 13, 2005, is LIFTED, and thus these 21 actions are transferred to the District of Massachusetts for inclusion in the coordinated or consolidated pretrial proceedings under 28 U.S.C. § 1407 being conducted by the Honorable Patti B. Saris.

FOR THE PANEL:

Michael J. Beck
Michael J. Beck
Clerk of the Panel

SCHEDULE A

MDL-1629 — In re Neurontin Marketing, Sales Practices and Products Liability Litigation

Southern District of Alabama

Darlene Owens, etc. v. Pfizer, Inc., et al., C.A. No. 1:04-768

District of New Jersey

James H. Whitehouse, Sr., et al. v. Pfizer, Inc., et al., C.A. No. 2:04-6257

Northern District of New York

Frank Vercillo, Jr. v. Pfizer, Inc., et al., C.A. No. 5:05-32

Southern District of New York

Gary L. Lyman, etc., et al. v. Pfizer, Inc., et al., C.A. No. 1:04-6704

Mark Minisquero, et al. v. Pfizer, Inc., et al., C.A. No. 1:04-7297

Nicole Justine James v. Pfizer, Inc., et al., C.A. No. 1:04-7374

Jay DiGiacomo v. Pfizer, Inc., et al., C.A. No. 1:04-7962

Avrill C. Aronson, etc. v. Pfizer, Inc., et al., C.A. No. 1:04-8721

Joy Dodson, et al. v. Pfizer, Inc., et al., C.A. No. 1:04-8963

Timothy P. Scott, etc. v. Pfizer, Inc., et al., C.A. No. 1:04-8990

Dorothy Kern v. Pfizer, Inc., et al., C.A. No. 1:04-9249

John Dees, et al. v. Pfizer, Inc., et al., C.A. No. 1:04-9304

Peter Veraas v. Pfizer, Inc., et al., C.A. No. 1:04-9429

Theodore Populis, et al. v. Pfizer, Inc., et al., C.A. No. 1:04-10265

Kathleen Wilson, etc. v. Pfizer, Inc., et al., C.A. No. 1:05-72

William Montgomery v. Pfizer, Inc., et al., C.A. No. 1:05-73

Michael Mendoza v. Pfizer, Inc., et al., C.A. No. 1:05-74

Johnnie Hargrove v. Pfizer, Inc., et al., C.A. No. 1:05-75

Shanan Feyer, etc. v. Pfizer, Inc., et al., C.A. No. 1:05-76

Gregory Retzer v. Pfizer, Inc., et al., C.A. No. 1:05-77

Sidney Brown, etc. v. Pfizer, Inc., et al., C.A. No. 1:05-237

05cv11028 PBS

ECF

**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:04-cv-09304-JSR**

Dees et al v. Pfizer Inc. et al
Assigned to: Judge Jed S. Rakoff
Cause: 28:1332 Diversity-Personal Injury

Date Filed: 11/24/2004
Jury Demand: Plaintiff
Nature of Suit: 365 Personal Inj. Prod.
Liability
Jurisdiction: Diversity

Plaintiff

John Dees

represented by **Andrew G. Finkelstein**
Finkelstein & Partners, LLP
436 Robinson Avenue
Newburgh, NY 12550
914-562-0203
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

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ATTORNEY TO BE NOTICED

Plaintiff

Betty Dees

represented by **Andrew G. Finkelstein**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Eleanor Louise Polimeni
(See above for address)
ATTORNEY TO BE NOTICED

V.

Defendant

Pfizer Inc.

represented by **Erik March Zissu**
Davis Polk & Wardwell

450 Lexington Avenue
 New York, NY 10017
 (212) 450-4511
 Fax: 212 450-3511
 Email: zissu@dpw.com
ATTORNEY TO BE NOTICED

Defendant

Parke-Davis

*a division of Warner-Lambert
 Company and Warner-Lambert
 Company LLC*

represented by **Erik March Zissu**
 (See above for address)
ATTORNEY TO BE NOTICED

Defendant

Warner-Lambert Company

represented by **Erik March Zissu**
 (See above for address)
ATTORNEY TO BE NOTICED

Defendant

Warner-Lambert Company LLC,

represented by **Erik March Zissu**
 (See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
11/24/2004	<u>1</u>	COMPLAINT against Parke-Davis, Pfizer Inc., Warner-Lambert Company, Warner-Lambert Company LLC,. (Filing Fee \$ 150.00, Receipt Number 527316)Document filed by Betty Dees, John Dees.(jjm,) Additional attachment(s) added on 12/1/2004 (jjm,). (Entered: 11/29/2004)
11/24/2004		SUMMONS ISSUED as to Parke-Davis, Pfizer Inc., Warner-Lambert Company, Warner-Lambert Company LLC,. (jjm,) (Entered: 11/29/2004)
11/24/2004		Magistrate Judge Gabriel W. Gorenstein is so designated. (jjm,) (Entered: 11/29/2004)
11/24/2004		Case Designated ECF. (jjm,) (Entered: 11/29/2004)
12/16/2004	<u>2</u>	NOTICE OF CASE REASSIGNMENT to Judge Jed S. Rakoff. Judge Thomas P. Griesa no longer assigned to the case. (laq,) Additional attachment(s) added on 1/3/2005 (laq,). (Entered: 01/03/2005)
01/03/2005		Mailed notice to the attorney(s) of record. (laq,) (Entered: 01/03/2005)
01/07/2005	<u>3</u>	NOTICE of Appearance by Eleanor Louise Polimeni on behalf of all plaintiffs (Polimeni, Eleanor) (Entered: 01/07/2005)

01/11/2005	<u>4</u>	RULE 7.1 DISCLOSURE STATEMENT. Document filed by Pfizer Inc., Parke-Davis, Warner-Lambert Company, Warner-Lambert Company LLC,.(Zissu, Erik) (Entered: 01/11/2005)
01/11/2005	<u>5</u>	ANSWER to Complaint. Document filed by Pfizer Inc., Parke-Davis, Warner-Lambert Company, Warner-Lambert Company LLC,.(Zissu, Erik) (Entered: 01/11/2005)
01/12/2005	<u>6</u>	CERTIFICATE OF SERVICE of Answer served on Kenneth B. Fromson, Esq., Finkelstein & Partners on January 11, 2005. Service was made by Mail. Document filed by Pfizer Inc., Parke-Davis, Warner-Lambert Company, Warner-Lambert Company LLC, (Zissu, Erik) (Entered: 01/12/2005)
01/31/2005	<u>7</u>	CERTIFICATE OF SERVICE of Defendants' Disclosure of Interested Persons 7.1 Statement served on Kenneth B. Fromson, Esq., Finkelstein & Partners on 01/11/2005. Service was made by Mail. Document filed by Pfizer Inc., Parke-Davis, Warner-Lambert Company, Warner-Lambert Company LLC, (Zissu, Erik) (Entered: 01/31/2005)
02/01/2005	<u>8</u>	AFFIDAVIT OF SERVICE of Summons and Complaint. Parke-Davis served on 1/4/2005, answer due 1/24/2005. Service was accepted by Elizabeth Carducci Staehl, Managing Agent. Document filed by John Dees; Betty Dees. (Polimeni, Eleanor) (Entered: 02/01/2005)
02/01/2005	<u>9</u>	AFFIDAVIT OF SERVICE of Summons and Complaint. Warner-Lambert Company served on 1/4/2005, answer due 1/24/2005. Service was accepted by Elizabeth Carducci Staehl, Managing Agent. Document filed by John Dees; Betty Dees. (Polimeni, Eleanor) (Entered: 02/01/2005)

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